

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

CASE NO. 3:00CR00055-02(PG)

VICTOR MANUEL SANTIAGO-BONILLA

**MOTION NOTIFYING VIOLATIONS
OF THE SUPERVISED RELEASE TERM AND
REQUESTING THE ISSUANCE OF A WARRANT**

TO THE HONORABLE JUAN M. PEREZ-GIMENEZ
SENIOR U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, Luis O. Encarnación, U.S. Probation Officer of this Court, presenting an official report on the conduct and attitude of releasee, Víctor Manuel Santiago-Bonilla, who on June 15, 2007, was sentenced to six (6) months of imprisonment to be followed by one (1) year supervised release term after his original supervision term imposed on April 20, 2001, was revoked for the second time. As special conditions of the supervision term, he was ordered to participate in a substance abuse treatment program; and submit his person, residence, office or vehicle to a search. On December 11, 2007, the offender was released from custody at which time his supervised release term commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

The offender has violated the following supervision conditions since his release:

1. VIOLATION OF SUPERVISED RELEASE CONDITION NUMBER TWO (2)-

“The defendant should report to the probation officer and shall submit a truthful and complete supervision report within the first five days of each month.”

Mr. Santiago-Bonilla has failed to submit the monthly supervision report (MSR) for January 2008.

2. VIOLATION OF SUPERVISED RELEASE CONDITION NUMBER THREE (3)-

“The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.”

On January 26, 2008, and March 24, 2008, Mr. Santiago-Bonilla failed to report to our drug treatment contract as instructed in order to provide a urine sample for drug testing and for an intake assessment. In addition, the offender failed to return a telephone call as instructed on March 18, 2008.

3. VIOLATION OF SUPERVISED RELEASE CONDITION NUMBER ELEVEN (11)-

“The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.”

On March 11, 2008, Mr. Santiago-Bonilla was arrested by a police officer of the Puerto Rico Police Department in a drug related case. However, no new charges were filed against the offender. Up to this date, Mr. Santiago-Bonilla has failed to notify such arrest.

4. VIOLATION OF SPECIAL CONDITION - “The defendant shall participate in a drug treatment program (out-patient or in-patient) arrange by the U.S. Probation Office until duly discharged by authorized program personnel with the approval of

the Probation Officer. The defendant is require to contribute to the cost of the services rendered (co-payment) based on the ability to pay or availability of third party payments, as approved by the court."

Mr. Santiago-Bonilla has failed to report to our contracted drug treatment provider as instructed by the probation officer on February 25, 2008 and March 18, 2008. Based on the history of this case, the offender has a pattern of violating his release conditions.

WHEREFORE, I declare under penalty of perjury, that the above-mentioned is true and correct. In view of the above mentioned, it is respectfully requested that a warrant for the offender's arrest be issued so that he may be brought before this Honorable Court to show cause why his supervision term should not be revoked. Thereupon, he to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 1st day of April 2008.

Respectfully submitted,

EUSTAQUIO BABELONIA, CHIEF
U.S. PROBATION OFFICER

s/Luis O. Encarnación-Canales
Luis O. Encarnación-Canales
U.S. Probation Officer
Federal Office Bldg. Room 400
150 Chardon Avenue
San Juan, P.R. 00918-1741
Tel. 787-766-5920
Fax 787-771-4063
Email: luis_encarnacion@prp.uscourts.gov

CERTIFICATE OF SERVICE

I HEREBY certify that on April 1, 2008, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Scott Anderson, Assistant U.S. Attorney and Max Pérez, Assistant Federal Public Defender.

In San Juan, Puerto Rico, this 1st day of April 2008.

s/Luis O. Encarnación-Canales
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